

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

U.S. DISTRICT COURT  
EASTERN DISTRICT-WI  
FILED

2018 JUN 12 P 3:01

STEPHEN C. DRIES  
CLERK

**18-CR-126**

UNITED STATES OF AMERICA,

Plaintiff,

v.

JEFFREY H. ERNISSE,

Defendant.

Case No.

[18 U.S.C. §§ 2251(a), 2251(c) and  
2252(a)(4)(B) and 2423(c)]

**INDICTMENT**

**COUNT ONE**

**THE GRAND JURY CHARGES:**

Between approximately June 17, 2014, and approximately April 11, 2015,

**JEFFREY H. ERNISSE**

a citizen of the United States, with a last known residence within the State and Eastern District of Wisconsin, traveled in foreign commerce, from the United States to The Republic of the Philippines, and engaged in and attempted to engage in illicit sexual conduct as defined in Title 18, United States Code, Section 2423(f), with Minor Female, who was then under 18 years of age.

All in violation of Title 18, United States Code, Section 2423(c) and (e).

**COUNT TWO**

**THE GRAND JURY FURTHER CHARGES:**

On or about March 10, 2015,

**JEFFREY H. ERNISSE**

a citizen of the United States, with a last known residence within the State and Eastern District of Wisconsin, did, employ, use, persuade, induce, entice, and coerce Minor Female, a person under 18 years of age, to engage in any sexually explicit conduct for the purpose of producing any visual depiction of such conduct, which visual depiction was produced using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer.

All in violation of Title 18, United States Code, Sections 2251(a) and (e).

**COUNT THREE**

**THE GRAND JURY FURTHER CHARGES:**

On or about March 10, 2015, to on or about April 11, 2015,

**JEFFREY H. ERNISSE**

a citizen of the United States, with a last known residence within the State and Eastern District of Wisconsin did employ, use, persuade, induce, entice, and coerce Minor Female, a person under 18 years of age, to engage in any sexually explicit conduct outside of the United States, its territories and possessions, for the purpose of producing any visual depiction of such conduct, and transported such visual depiction to the United States, its territories and possessions, by any means, including by using any means and facility of interstate and foreign commerce.

All in violation of Title 18, United States Code, Sections 2251(c) and (e).

**COUNT FOUR**

**THE GRAND JURY FURTHER CHARGES:**

On or about April 7, 2015,

**JEFFREY H. ERNISSE**

a citizen of the United States, with a last known residence within the State and Eastern District of Wisconsin, did, employ, use, persuade, induce, entice, and coerce Minor Female, a person under 18 years of age, to engage in any sexually explicit conduct for the purpose of producing any visual depiction of such conduct, which visual depiction was produced and transmitted using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer.

All in violation of Title 18, United States Code, Sections 2251(a) and (e).

**COUNT FIVE**

**THE GRAND JURY FURTHER CHARGES:**

On or about April 7, 2015, to on or about April 11, 2015,

**JEFFREY H. ERNISSE**

a citizen of the United States, with a last known residence within the State and Eastern District of Wisconsin did employ, use, persuade, induce, entice, and coerce Minor Female, a person under the age of 18 years, to engage in any sexually explicit conduct, outside of the United States, its territories and possessions, for the purpose of producing any visual depiction of such conduct, and transported such visual depiction to the United States, its territories and possessions, by any means, including by using any means and facility of interstate and foreign commerce.

All in violation of Title 18, United States Code, Sections 2251(c) and (e).

**COUNT SIX**

**THE GRAND JURY FURTHER CHARGES:**

On or about December 18, 2015, within the State and Eastern District of Wisconsin,

**JEFFREY H. ERNISSE**

knowingly possessed a matter, to wit: a Toshiba Satellite A305-S6825 laptop computer and a Samsung Galaxy S III SCH-R530 Phone, which contained visual depictions of a minor engaging in sexually explicit conduct, to include but not limited to the images and videos described below, produced using materials which had been mailed, shipped, and transported using any means and facility of interstate and foreign commerce, and which had been mailed, shipped, and transported in and affecting interstate and foreign commerce, including by computer, knowing that the person depicted was under the age of eighteen years.

Partial File Name	Description
{3097...2121.jpg	A color image depicting a pre-pubescent, naked female laying on a bed. Observed in the background of the photo is a tan-colored wood headboard and white-colored wall. The female is positioned on a light purple towel and multi-colored quilt. The female's arms are raised above her head and her hands are grasped together. The female, who has brown hair, is looking directly at the camera. The female's legs are spread in the image exposing her vagina. The left foot of the female is not viewable in the image. Positioned below the ankles of the female is what appears to be a steel rod which appears to be extended the length of the bed. A yellow colored rope can also be seen wrapped three times around the leg of the female's right leg just below the kneecap area and ankle. Two strands of the aforementioned rope extend to the edge of the bed from the female's right leg. This image was located in the "original images" folder of the Windows Photo Gallery.
{D56D...1111.jpg	A color image depicting a pre-pubescent, naked female laying on her right side. The female is positioned on a tan-colored carpet. Visible in the background is what appears to be a multi-colored gray recliner and another piece of furniture with the same pattern. The female's hands are situated behind her body and she is holding a rope with her right index and middle fingers. Two strands of rope can also be observed around the female's right wrist. Her vagina is exposed and visible in the image. The female, who has shoulder length light brown hair, has her head resting on the carpet and she appears to be looking away from the camera. This image was located

	in the "original images" folder of the Windows Photo Gallery.
{8836...1021.jpg	A color image depicting an adult male inserting his penis, with his right hand, into the vagina of a very young child. The adult male's lower torso and upper thigh are viewable in this image. The adult male is wearing a blue shirt. A small portion of his left hand is viewable in the image and is positioned near his left thigh area. The young female's lower torso and legs are visible in the image. She is wearing a yellow colored shirt with purple trim. The female's legs are spread in the image exposing her vagina. This image was located in the "original images" folder of the Windows Photo Gallery.
{64EB...t2.jpg	A color image depicting an adult male laying on what appears to be a pink bed spread. The adult male's bare lower torso and upper thigh area are visible in the image. His legs are spread, and a 5 or 6 year old female who appears to be nude in the image is crouched near the male's buttock's area. She is holding the penis of the adult male with her right hand. The left arm of the female can also be seen in the image resting on the upper right thigh area of the adult male. The female appears to be looking directly at the adult male. This image was located in the "original images" folder of the Windows Photo Gallery.
Video #1 2015...203.mp4	A video lasting approximately 41 seconds. Depicted in this video is a close up view of the vaginal area of a minor female. A male's index finger is observed rubbing the exterior of the minor's vagina and being inserted into the minor's vagina. The minor is wearing a white and pink striped shirt. Underneath the buttocks of the minor female is a blue checked blanket. The minor can be seen viewing an electronic device. The video was located in the "camera" folder of the Samsung Galaxy phone.
Video #2 2015...432.mp4	A video lasting approximately 1 minute 19 seconds. Depicted in this video is a close up view of the vaginal area of a minor female. The minor is wearing a white and pink striped shirt. Underneath the torso of the minor female is a blue checked blanket with what appears to be Disney "Cars" characters. An adult male's thumb and index finger are observed holding a penis and rubbing the exterior of her vagina with the penis and attempting to insert it in the minor's vagina. 34 seconds into the video the face of the minor female is visible. Her head is positioned next to a pink stuffed animal. The video was located in the "camera" folder of the Samsung Galaxy phone.

All in violation of Title 18, United States Code, Sections 2252(a)(4)(B) and (b).

## NOTICE OF FORFEITURE

1. Upon conviction of an offense in violation of Title 18, United States Code, Sections 2251 and 2252, set forth in Counts Two through Six of this Indictment, Jeffrey H. Ernisse, shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 2253:

- a. any visual depiction described in section 2252 of this chapter, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of this chapter;
- b. any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such offense; and
- c. any property, real or personal, used or intended to be used to commit or to promote the commission of such offense or any property traceable to such property.

2. The property to be forfeited includes, but is not limited to:

- a. A Samsung Galaxy S III SCH-R530 Phone (IMEI 99000333458209)
- b. A Toshiba Satellite A305-S6825 laptop computer (SN 38204823Q)
- c. Samsung SCH-i925 Galaxy Tablet 10.1 (IMEI 99000447548056)

3. If any of the property described above, as a result of any act or omission by a defendant: cannot be located upon the exercise of due diligence; has been transferred or sold to, or deposited with, a third person; has been placed beyond the jurisdiction of the Court; has been substantially diminished in value; or has been commingled with other property which cannot be subdivided without difficulty, the United States of America shall be entitled to forfeiture of substitute property, pursuant to Title 21, United States Code, Section 853(p), as incorporated by



Title 18, United States Code, Section 2253(b), and Title 28, United States Code, Section 2461(c).

A TRUE BILL:



FOREPERSON

Dated:

June 12, 2018

A handwritten signature in black ink, appearing to read "Matthew D. Krueger", written over a horizontal line.

MATTHEW D. KRUEGER  
United States Attorney